



1731  
10/24/03  
PATENT  
CASE NAME/No.: SP00-130

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: John T. Brown, et al.

Serial No: 09/833,540

Filing Date: 4/11/2001

Title: SUBSTANTIALLY DRY, SILICA-  
CONTAINING SOOT, FUSED SILICA  
AND OPTICAL FIBER SOOT  
PREFORMS APPARATUS, METHODS  
AND BURNERS FOR  
MANUFACTURING SAME

Art Group Unit: 1731

Examiner: Carlos N. Lopez

**RESPONSE**

Commissioner for Patents  
Alexandria, VA 22313-1450

**RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT**

In the Office Action dated September 24, 2003, in the above-captioned application, the Examiner issued a Restriction Requirement identifying the following groups of claims as being drawn to potentially distinct inventions:

- Group I. Claims 1 - 53, 54-58, 59-66, 67-98, 109-113, 127, 128-129, 130-138, 146-158, 159-175, 176-184, and 200-214, drawn to a method of making an optical fiber preform, classified in class 65, subclass 385;
- Group II. Claims 99 - 108, drawn to an optical fiber preform, classified in class 428, subclass 630;
- Group III. Claims 114 - 126, drawn to a method of making silica containing soot, classified in class 65, subclass 414;
- Group IV. Claims 139-145, drawn to a burner, classified in class 431, subclass 354; and
- Group V. Claims 215-222, drawn to an apparatus to make an optical fiber preform, classified in class 65, subclass 483+.

The Examiner asserted that these inventions may be regarded as independent and distinct from one another because:

Inventions I and II are related as process of making and product made because the product as claimed can be made by another and materially different process such as making the preform in a hydrogen environment.

Inventions I and III are related as combination and subcombination because the combination as claimed does not require the particulars of the subcombination as claimed because the forming of the soot does not require reacting chlorine, fluorine and silica containing compound. The subcombination has separate utility such as manufacturing of glass using hydrogen fuel.

Inventions I and IV are unrelated and have different operation, different functions, or different effects such as using the burner to heat milk.

Inventions I and V are related in process and apparatus for its practice because the process as claimed can be practiced by another materially different apparatus that does not require an induction heater but instead a combustion heater.

Inventions II and III are related as process of making and product made because the product as claimed can be made by another and materially different process not requiring reacting chlorine, fluorine and silica containing compound.

Inventions II and IV are unrelated because the different inventions have different operation, different functions, or different effects such as using the burner to heat milk.

Inventions V and II are related as apparatus and product made because the product as claimed can be made by another and materially different apparatus having a combustion heater.

Inventions III and IV are unrelated because the different inventions have different operation, different functions, or different effects such as using the burner to heat milk.

Inventions III and V are related as process and apparatus for its practice because the process as claimed can be practiced by another materially different apparatus that uses a combustion burner to make the soot.

Inventions IV and I – III and V are unrelated because the different inventions have different operation, different functions, or different effects such as using the burner to heat milk.

Applicants respectfully elect the invention of Group I, upon which claims 1-53, 54-58, 59-66, 67-98, 109-113, 127, 128-129, 130-138, 146-158, 159-175, 176-184, and 200-214 read, without traverse.

Applicants respectfully elect the invention of Species A, upon which claims 1-53 read, without traverse.

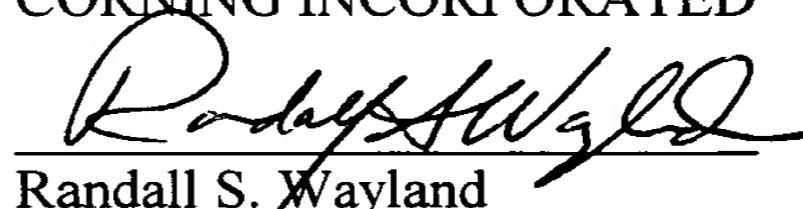
Applicants believe that no extension of time is necessary to make this Response timely. Should Applicants be in error, Applicants respectfully request the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Randall S. Wayland at 607-974-0463.

Respectfully submitted,

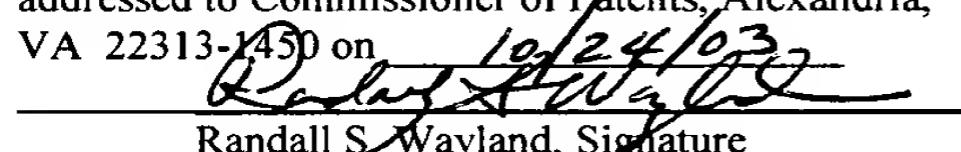
CORNING INCORPORATED

Date: 10/24/03

  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R.**

**§ 1.8:** I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal Service, as first class mail, postage prepaid, addressed to Commissioner of Patents, Alexandria, VA 22313-1450 on 10/24/03

  
Randall S. Wayland, Signature